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NOTIFICATIONS BY GOVERNMENT

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT DEPARTMENT

MA&UD DEPARTMENT – ANDHRA PRADESH BUILDING RULES, 2017 – AMENDMENTS
PROPOSED – DRAFT AMENDMENTS - NOTIFICATION – INVITING OBJECTIONS AND
SUGGESTIONS – ISSUED - REG.

[Memo.No.2635884/M2/2024, Municipal Administration & Urban
Development (M2) Department, 17th December 2024]

APPENDIX
NOTIFICATION

In exercise of the powers conferred by section 585 read with section 592 of the Andhra Pradesh Municipal Corporation Act, 1955 (adapted GHMC Act, 1955); section 18 of the Andhra Pradesh Municipal Corporations Act, 1994; section 326 of the Andhra Pradesh Municipalities Act, 1965, section 44 (1) of the Andhra Pradesh Town Planning Act, 1920, sub-section 2 of section 18 of the Andhra Pradesh Capital Region Development Authority Act, 2014 and Sections 116 and 117 of the Andhra Pradesh Metropolitan Region and Urban Development Authorities Act, 2016, the following draft amendments are proposed to AP Building Rules, 2017 issued in G.O.Ms.No.119, MA&UD (H) Dept., dated 28.03.2017 and amendments issued thereon from time to time.

Notice is hereby given that the draft will be taken into consideration after expiry of seven (7) days from the date of publication of the notification in the Andhra Pradesh Gazette and that any objections or suggestions which may be received from any person with respect to these before the expiry of said period will be considered by the Government of Andhra Pradesh. Objections or suggestions should be addressed to the Director of Town and Country Planning, A.P., Mangalagiri / Municipal Administration and Urban Development Department, Andhra Pradesh Secretariat, Velagapudi.

DRAFT AMENDMENTS

In the said Rules:-

I. In Rule 2,-

(1) in sub-rule (17), for clause (h) the following shall be substituted, namely,-

“(h) High rise Buildings means a building **above 18 M** (including stilt floor) in height. However, chimneys, cooling towers, boiler rooms/ lift machine rooms, cold storage and other non-working areas in case of industrial buildings and water tanks and architectural features in respect of other buildings may be permitted as a non-High rise Building.”

(2) for sub-rule (87), the following shall be substituted, namely,-

“(87) ‘Group Development Scheme’ is reckoned as development of buildings for any use in a campus or site of 4000 sq.m area and above and could be gated Community, row houses, semidetached houses, detached Houses, apartment blocks, Commercial, Institutional, Industrial buildings or high rise buildings or mix or combination of the above without customary sub-division of the land by way of individual plots.”

(3) in sub-rule (133), the following clause (a) shall be added, namely,-

“133(a) Podium Parking: A horizontal platform extending beyond the building footprint on one or more sides, and may consist of one or more levels which is used for parking purpose.”

II. In Rule 3,

(1) in sub-rule (10), in clause (d),

- i. sub-clause (xv) and sub-clause (xvii) shall be Omitted.**
- ii. sub-clause (xvi) shall be renumbered as (xv).**
- iii. sub-clause (xviii) to (xxiv) shall be renumbered as (xvi) to (xxii) respectively.**

(2) in sub-rule (15), the following shall be substituted, namely,-

(15) All the Plans and Application for Building Permission shall be duly signed by the owner and developer if any; and the Licensed/Registered Technical Personnel i.e., Architect/Engineer/Surveyor/Town Planner as the case may be and in case of Buildings above 10m height the Structural Engineer shall also sign all the plans. Further, in case of High Rise buildings, along with Engineer/Surveyor/Structural Engineer, the Architect and Town Planner shall

also sign all the plans and in application for Building Permission. They shall give their present and permanent addresses and license/Registration details.

(3) in sub-rule (20), for clause(d) the following shall be substituted, namely,-

“(d) The owner is required to hand over 10 % built-up area in any approved floor shall be mortgaged, as the case may be, to the sanctioning authority by way of a Registered Mortgage Deed. In respect of row houses/detached Houses/cluster housing 5% of the units shall be handed over by way of Registered Mortgage Deed to the sanctioning authority. The Registered Mortgage Deed shall be got entered by the sanctioning authority in the Prohibitory Property Watch Register of the Registration Department. Then only the Building sanction will be released.

In respect of buildings taken up by the Government agencies (state or central), need not observe this clause.”

(4) in sub-rule (32), in clause (b), for sub-clause (i) the following note shall be modified , namely,-

“Note- The total height of the building may vary to a maximum of 2m with no change in the permitted number of floors subject to compliance of fire service norms.”

(5) in sub-rule (32), after clause (l) the following clause (m) shall be added, namely,-

“(m) NOC / Compliance Certificate from APRERA, Where the area of land proposed to be developed exceeds 500sq.m and the number of units proposed to be developed exceeds 8 units, and ensure its compliance before issue of Occupancy/ Completion Certificate in the Development Permission Management System (APDPMS).”

III. In Rule 6,-

(1) in sub-rule (2), for clause (a) the following shall be substituted, namely,-

“(a) Basements are allowed for plots 500 sq.m and above only”

(2) in sub-rule (30), in clause(b), for sub clause (i) the following shall be substituted, namely,-

“(i) Basements or cellars (one or more) / multi-level (allowed for plots 500sq.m and above only) or.”

(3) in sub-rule (30), in clause (b), after sub-clause (vi) the following sub-clause (vii) shall be added, namely,-

“(vii) In case of sites having natural slopes, additional basement / stilt parking is allowed with mechanical lift provision irrespective of plot area.”

IV. In Rule 32, the following shall be substituted, namely,-

“32. Provision of Helipad

In case of insistence of Fire & Services Department, the applicant shall provide Helipad subject to the approval of the Air Port Authority of India and Structural Safety from reputed institutions like I.I.T/N.I.T. The same shall be approved by the Authority.”

V. In Rule 53, for sub-rule (6), the following shall be substituted, namely,-

“(6) In case of single plot sub-division approved by the competent authority, a means of independent access of minimum 3.6m pathway may be considered for Individual Residential Building and for Non-High-Rise Group Housing Buildings is as follows:

Sl. No.	Width of means of access	Maximum Length of means of access
1	7m	50m
2	9m	up to 100m
3	12m	up to 150m
4	18 mts	up to 200m

If there are any bends or curves in the approach road, sufficient width shall be permitted at the curve to enable the fire tenders to turn, the turning circle shall be at least of 9.0m radius.”

VI. In Rule 54,-

(1) in sub-rule (2), the clause (a) & (b) shall be substituted, namely,-

“In case of sites abutting to Defense establishments, NOC from Defense authorities need not be insisted. However it will be the responsibility of the applicants to follow the applicable rules as prescribed by the Defense authorities in their rules”

(2) for sub-rule (7), the following shall be substituted, namely

“(7) NOC from Railways

In case of sites abutting to railway property, NOC from Railway authorities need not be insisted. However it will be the responsibility of the applicants to

follow the applicable rules as prescribed by the Railway authorities in their rules.”

VII. In Rule 55,-

(1) In sub-rule (2),

- i. clause (h) shall be omitted.**
- ii. clause (i) shall be read as clause (h).**

(2) for sub-rule (6), the following shall be substituted, namely

“(6) Poultry farms (wherever allowed as per Master Plan)

- a) Poultry farms can be allowed in Agricultural zone and 500m away from habitations.
- b) Setbacks of Poultry farms to be followed as per the setbacks table 17.”

VIII. In Rule 57,-

(1) In sub-rule (2), in clause (a), Table -17, Row-7 column (c) shall be substituted namely, “Stilt floor+ One Cellar floor”.

(2) after sub-rule (5), the following clause (a) shall be inserted, namely,-

“(a) Whenever the height of the building from Ground level/ Road level is crossing **18mts** either including parking or excluding parking shall obtain necessary fire NOC.”

(3) in sub-rule (6), for clause(g) the following shall be substituted, namely;

“(g) In all plots 750sq.m and above, provision shall be made for earmarking an area of **2m x 2m** for the purpose of setting of public utilities like distribution transformer, etc. within the owner’s site subject to mandated public safety requirements.”

IX. In Rule 61, after sub-rule (7), the following note shall be added, namely,-

“Note: A swimming pool may also be permitted in such recreational open space provided it shall not obstruct the way of Fire fighter vehicle and shall not cover more than 10% of the tot-lot area.

X. In Rule 62, for sub-rule (1), the following shall be substituted, namely,-

“(1) High Rise Building means a buildings **above 18m** height from Road level. (Where the road level and ground level is different, average of two levels shall be taken up to consideration)”

XI. In Rule 65, after sub-rule (2), the following sub-rule (3) shall be inserted, namely

"(3) The "width and length of means of access" (exclusive access) shall be referred to Rule 53 (6) for considering the building permissions in the sites which are having exclusive means of access."

XII. In Rule 66,-

(1) sub-rule (1), Table-18 the following shall be substituted namely,-

Minimum abutting road width and all-round open space /setback for High Rise Buildings

Height of building (in meters)		Minimum abutting road width (in meters)	Minimum all-round open space (in meters)
Above	Up to		
(1)	(2)	(3)	(4)
-	21	12	7
21	24	12	8
24	27	18	9
27	30	18	10
30	35	24	11
35	40	24	12
40	45	24	13
45	50	30	14
50	55	30	16
55	70	30	17
70	120	30	18
Above 120		30	20

(2) for sub-rule (4), the following shall be substituted, namely,-

"(4) The balcony projection of up to 2m may be allowed projecting onto the open spaces for upper floors from 6m height onwards. Covered projection of 2m in projected balcony shall be allowed on surrender of equivalent Transferable Development Rights (TDR) of balcony area, from 6.00 m height onwards."

XIII. In Rule 70,-

(1) for Sub-rule(1) the following shall be substituted , namely,-

"(1) Podium Parking

- i. The maximum height of the Podium Floor shall be 15 mts.
- ii. The minimum site/plot area shall be 4000 sq.m.
- iii. Tower height shall be as per the building rules and based on the approach road width.

- iv. If the site area is more than 10 Ac, single Podium shall not be allowed i.e., number of podiums shall be more than one.
- v. The height of the podium shall be exempted from height of the building for calculation of height of the building and setbacks to the Tower Block.
- vi. The all-round set-backs for Podium floors shall be:
 - a) 7 m upto a Tower height of 55 m with turning radius of 12 m
 - b) 9 m for above 55 m height with turning radius of 14 m.
 - c) The Fire driveway between two Podium Blocks shall be 7 m and 9 m in alignment with points (a) & (b)
 - d) The turning radius is allowed in the 2 m peripheral green strip
- vii. Setbacks for Tower (above podium) shall be as per building rules and set-back provided to podium shall be treated as part of Tower set-back.
- viii. When podium floors are allowed there should be restriction on the number of basements (cellars) i.e., maximum 3 basements in case of commercial buildings and 2 basements in case of residential buildings.
- ix. Setbacks for basement floors shall be same as podium setbacks
- x. Tot-lot is allowed on podium
- xi. Podium floors shall be exclusively utilized for parking. However, transitional spaces like visitors' lobbies, waiting room for drivers and toilets etc. shall be provided as per occupancy loads, subject to a maximum of 2% of floor area and 10% of floor area may be allowed for services.
- xii. There shall be no compound wall between Podium and Right of Way (Row) of road.
- xiii. No additional floors are permitted with TDR at tower level.
- xiv. Projected balconies are not permitted in to the setbacks at tower level.
- xv. Setback relaxation in road widening cases can be (insitu) considered at tower level subject to maintaining setbacks at tower level duly obtaining Fire NOC."

(2) after sub rule (2) the following sub-rule (3) shall be added, namely,-

“(3) Environmental Deck:

In the High Rise buildings having minimum of Ten floors (excluding parking floors) duly exempting the same from the calculation of height and parking requirement subject to occupation of minimum of 80% of the area for the activities such as i) Flower Gardens/ Butterfly Garden, ii) Walking Tracks /

Jogging tracks iii) Breakout space, iv) Viewing Galleries etc., and the remaining area for indoor activities like Gymnasium, Saloon, Spa etc., and ensuring sufficient safety provisions. This "Environment Deck" shall be allowed beyond 30m of height in High Rise buildings (excluding parking floors)."

XIV. In Rule 167,

(1) in sub-rule (2), for clause (i), the following shall be substituted, namely,-

"(i) Upon surrendering affected site area, the owner of the site would be entitled to TDR as given in Rule-168 of AP Building Rules, 2017.

(or)

The owner shall be permitted to construct additional built-up area equivalent to the TDR area allowed under Rule-168, provided the setbacks are maintained as specified in Rule-167(ii), without insisting Road Development Plan (RDP). After utilization of TDR area in-situ, if the applicant is still eligible for TDR for balance extent can be considered. However, for greenfield roads or areas where no road exists (e.g., barren lands under Master Plan roads), RDP shall be required."

(2) in sub rule (2), for clause (ii), the following shall be substituted, namely,-

(ii) The TDR as issued above is allowed to be utilized for construction of additional built up area as detailed below:

a. Non-High Rise Buildings (up to 18m Height from ground level including TDR Floors):

To construct up to two additional floors, or setback relaxations, or up to two additional floors with setback relaxations subject to maintaining minimum setback as given below

S.No.	Width of the road (in mts)	Minimum front setback (in mts)	Minimum setbacks on remaining sides (in mts)
1	30 and above	3	For site areas i. above 200 to 300 Sq.mts - 1.50 m
2	18 to below 30	3	ii. above 300 to 500 Sq.mts - 2.00m iii. above 500 Sq.mts - 2.50m
3	9 to below 18	2	

Note:

1. TDR floors are not allowed in case of existing road width is less than 9 m.
2. Utilization of TDR will not be allowed below 200 Sq.mt site area.
3. Required percentage (%) of parking shall be provided and deemed parking requirement clause is not applicable as stated at rule no. 6(3)(C)

b. High Rise Buildings:

To construct up to two additional floors, or setback relaxations, or up to two additional floors with setback relaxations subject to maintaining minimum setback as given below and also subject to satisfaction of the parking norms

S.no	Minimum abutting road Width (in mts)	Height of the building including TDR floor (in mts)	Minimum all round setback (in mts)
1.	12	Up to 30	7
2.	18	Above 30 and up to 36	8
3.	24	Above 36 and up to 51	9
4.	30	Above 51 and up to 70	12
5.	30	Above 70	16

(3) in sub rule (2), clause (iii), shall be omitted.

(4) in sub rule (3), the following shall be substituted, namely,-

“(3) In case of plots less than 500sq.m in addition to concessions in setbacks and height, the cellar floor for parking may be allowed keeping in view of its feasibility on ground.”

XV. In Rule 168, for sub rule (2), in clause (b), the following shall be substituted, namely,-

“(b) For Conservation and development of lakes / water bodies / nalas foreshores & Recreational buffer development with greenery/ Roads on either side of Electrical Tower lines and clearance distance left for oil/gas pipelines and **any other buffer**: equivalent to 200% of such area surrendered.”

XVI. In Rule 169,-

(1) for sub-rule (3), the following shall be substituted, namely,-

“(3) (a) In case of ULBs, the Municipal Commissioner is competent to approve the Road Development Plan/Circulation Plan and to issue TDR as per Rules.

(b) In case of UDAs, the Metropolitan Commissioner/Commissioner/Vice Chairperson is the competent to approve the Road Development Plan/ Circulation Plan and issue TDR.

(c) The following committee shall scrutinize all aspects before issuance of TDR by meeting on a fortnightly basis the concern Town Planning Section Head shall notify the TDR proposal, before placing it in the committee, by way of paper notification to be given and within as stipulated period of 7 days, any claims and objections which may arise also to be placed before the committee.

1. The committee at ULB level will consist of the following officials:

- a) Municipal Commissioner concerned - Chairperson.
- b) RDDTP of concerned region.
- c) Local MRO concerned.
- d) Additional Commissioner, Revenue.
- e) Local sub registrar or his representative.
- f) UDA town planning head.

2. The Committee at UDA's / MRDA will consist of the following officials:

- a) Commissioner, CRDA / Metropolitan Commissioner, VMRDA / V.C. of the UDA - Chairperson.
- b) RDDTP of concerned region.
- c) Local MRO concerned.
- d) MC / DPO concerned.
- e) Local sub registrar or his representative.
- f) Town planning head of the UDA concerned - conveyor.

3. The above committees shall scrutinize all aspects before issuance of TDR. Before issuance of TDR the following aspects shall be mandatorily checked:

- Ownership of land.
- Extent of land affected.
- Whether it is required to issue TDR as per rules.
- Valuation of TDR.
- Any master plan issues
- Whether any other benefits were received earlier etc.
- After dealing with objections, if any received from the General Public only TDR's shall be issued duly verifying the draft gift deed."

(2) in sub-rule (5), after clause (e) the following clause (f) shall be added, namely,-

“(f) TDR application shall not be considered from the individual where there is no proposal for construction of the building by the applicant/ development of such road by the ULB/UDA.”

XVII. In Rule 178, after sub rule (4), the following sub rule (5) shall be inserted, namely,-

“178(5) Shelter fee is applicable only for residential Group housing/ residential group development schemes and not applicable for Non-Residential buildings. In case of mixed use i.e. Residential and other than residential use, the shelter fee shall be applicable for the extent of residential use only.”

XVIII. In Rule 56(4), 56(5), 159(1), 160(2), wherever the word “NREDCAP” occurs the word “Andhra Pradesh State Energy Conservation Mission (APSECM) State Designated Agency (SDA) of Andhra Pradesh” shall be substituted.

XIX. In ANNEXURE – 1, point 3 shall be substituted, namely,-

3) STRUCTURAL ENGINEER:

A degree in Civil Engineering or equivalent qualification.

(i) In addition to above qualification, the applicant should have at least five years experience in structural design work,

(Or)

(ii) A Master’s degree in structural engineering from a recognized institute and at least two years experience in structural design work.

(Or)

(iii) A Doctor’s degree in structural designs from a recognized institute and at least one year experience in structural design work.

Structural Engineers shall be competent to carryout work related to Building permission as given below shall be entitled to submit.

a. Structural designs and calculations of all buildings.

b. Issuing certificate of supervision and completion for all buildings.

c. Preparation of all service plans and related information connected with development permit.

**K.KANNA BABU
SECRETARY TO GOVERNMENT(FAC)**